



January 2, 2003

TELEFAX

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**TO:** Examiner Sally A. Sakelaris 703-746-9104

**FROM:** Angel Webb  
Secretary to Andrew M. Parial

**PAGE(S):** 2 (including this sheet)

**RE:** U.S.S.N. 09/898,566; Filed: 07/02/01  
METHOD AND ASSAY FOR DIAGNOSING SUBSTANCE  
DEPENDENCY -Town et al.  
Attorney Docket No.: 0152.00413

**MESSAGE:** Pursuant to your request, attached is page 7 of the  
Amendment filed December 5, 2002, in response to the outstanding Office  
Action dated June 7, 2002. If you have any questions with regard to the  
above, please do not hesitate to contact us.

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omitted in original response (paper # 8)

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KOHN & ASSOCIATES

2002

USSN: 09/898,566  
Attorney Docket No: 0152.00413

reproductive function, and pain perception could be altered...subtle changes, such as the SNP studied with respect to its binding inactivity, could have significant effects on the susceptibility or vulnerability to develop multifactorial diseases, such as specific addictions." (See, page 9613, last paragraph). This conclusion, which simply states that it is a possibility that any number of behaviors could be related to OPRM1 +118A, makes no claim to having established any specific relationship between OPRM1 +118A and any form of substance dependency.

In summary, the Bond, et al. article does not anticipate claims 17-20. In fact, the Bond, et al. article teaches away from the present invention. Hence, reconsideration of the rejection is respectfully requested.

The remaining dependent claims not specifically discussed herein are ultimately dependent upon the independent claims. References as applied against these dependent claims do not make up for the deficiencies of those references as discussed above. The prior art references do not disclose the characterizing features of the independent claims discussed above. Hence, it is respectfully submitted that all of the pending claims are patentable over the prior art.

It is respectfully submitted that the present amendment places the application in condition for allowance, which allowance is respectfully requested. Applicants respectfully request to be contacted by telephone if any remaining issues exist.